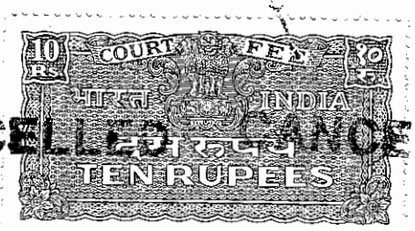

CANCELLED CANCELLED

(3)

IN THE HIGH COURT OF JUDICATURE AT

BILASPUR C.G.

M.C.C. No. 110 / 2007

3536/07

Filed on 12/5/07
by Shri ..... Advocate

R. to A.R. (L)

(APPLICATION UNDER SECTION 11 (6) OF ARBITRATION AND CONCILIATION ACT 1996 READ WITH SECTION 14 (2) AND 15 (2) OF THE ACT IBID)

APPLICANT - Mahalinga Shetty and Company Limited, Engineer and Contractors, 64 Vishweshwar Nagar, Hubli Karnataka.

VERSUS

REPONDENTS - State of Chhattisgarh represented by Secretary, Water Resources Department, Mantralaya , Raipur ,

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12/6/07

(W9)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक MCC 110/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	22.6.2007 Mr. A.K. Mishra, Advocate for the applicant. Mr. V.V.S. Murthy, Dy. Adv. General with Mr. Ashish Shukla, Govt. Advocate for the State. Heard. The instant application has been filed by the applicant under Section 11 (6) of the Arbitration & Conciliation Act, 1996 (for short 'the Act') read with Sections 14 (2) & 15 (2) of the Act praying termination of the mandate of appointment of substitute Arbitrator Shri B.K. Shrivastava and fill up the vacancy by appointing some other Arbitrator in his place. This Court vide order dated 15.12.2006 passed in Arbitration Application No.4/2006 had appointed Shri B.K. Shrivastava, Retired Registrar General, High Court of Chhattisgarh, Bilaspur as 3rd Arbitrator as nominee of the State. However, Shri Shrivastava vide his communication dated 24.2.2007 expressed his inability to work as an Arbitrator in this matter and requested for terminating the mandate regarding his appointment as an Arbitrator. Thereafter notices were issued to the parties and the instant application has been filed. -2-	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Mr. Murthy, learned counsel appearing for the respondent-State has submitted that he has no objection if the mandate of appointment of Shri Shrivastava as 3rd Arbitrator on behalf of the State is terminated and a fresh appointment is made. He has submitted a written instruction received from the Government of Chhattisgarh, Department of Water Resources to the effect that Shri P.C. Agarwal, Retired Engineer-in-Chief, M.P. Water Resources Department may be appointed as 3rd Arbitrator on behalf of the State. He further submits that he shall be filing this communication during the course of the day. Learned counsel for the applicant has no objection in the appointment of Shri P.C. Agarwal as 3rd Arbitrator. In the aforesaid circumstances, appointment of Shri B.K. Shrivastava as 3rd Arbitrator as the nominee of the State vide order dated 15.12.2006 passed in Arbitration Application No.4/06 is terminated and I hereby, therefore, appoint Shri P.C. Agarwal, Retired Engineer-in-Chief, M.P. Water Resources Department, C-19, South Civil Lines, Jabalpur (M.P.) as 3rd Arbitrator as nominee of the State. The learned Arbitrator may settle his terms and conditions and remuneration.	

(51)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Registry to intimate Shri P.C. Agarwal, Engineer-in-Chief, M.P. Water Resources Department, about his appointment as 3rd Arbitrator and to send all the papers along with addresses of the parties. A copy of this order may also be forwarded to other members of the arbitral tribunal namely Shri V.K. Tyagi, Arbitrator and Shri N. Ramaswamy, Arbitrator. Parties are also directed to approach Shri P.C. Agarwal, Retired Engineer-in-Chief, M.P. Water Resources Department, C-19, South Civil Lines, Jabalpur (M.P.) and to submit papers and to take part in the arbitration proceedings. Copy of this order be placed in Arbitration Application No.4/06. **Sd/-** **Dhirendra Mishra** **Judge**	